



City of Greenville

Notice of Administrative Decision for Application # CU 16-175

This public notice is mailed to property owners within 300 feet of the subject property

Property Address: 631 S MAIN ST, SUITE 300 (TMS#: 008900-01-01101)

Application: Conditional Use Permit to operate an event venue until 2 AM

Decision: Approved with Conditions

Conditions:

- 1) The Conditional Use Permit is limited to the Applicant, BW Greenville, LLC, and the business known as "Brazwells Premium Pub" (Event Venue) and is not transferrable.
- 2) Operation of the "second" floor, Suite 300, directly above the restaurant shall be limited to an 'event venue' as defined by the City Code and substantially conform to the information provided by the Applicant to the Technical Advisory Committee and the content of the application. Modification of the facility's operation shall require the Applicant to seek a modification of the Conditional Use Permit.
- 3) The use shall operate no later than 2 AM. During all events, the Applicant shall assign a manager on the premises who shall ensure compliance with the terms of this Permit, the City Code, and the applicable SC Code of Laws and Regulations. Operation of the business shall comply at all times with the provisions of the State Alcoholic Beverage Control Act and the Regulations of the Department of Revenue.
- 4) The event venue shall not be used for ticketed or events where payment is accepted at the door or for publicly advertised events or for events that have a prepaid ticket. The venue shall be used exclusively for rental of the space for private events such as weddings, rehearsal dinners, birthday parties, corporate events, etc.
- 5) Copies of rental contracts shall be in the possession of the onsite Manager of the event venue and available upon inspection by City Fire, Police or Zoning enforcement officers.
- 6) Maximum occupancy of the event venue shall be determined by the City Building Codes Department based on two alternative seating plans provided by the Applicant and shall be managed by the proprietor to prevent over-crowding.
- 7) All exterior doors and windows shall remain closed except to provide ingress and egress between the hours of 10 PM and 2 AM.
- 8) There shall be no amplification of low frequency (bass) tones after 10 PM and all amplified sound shall cease by 12 Midnight. Background levels of recorded music may be transmitted through an in-house sound system until closing.
- 9) The Applicant shall retain a minimum of one (1) outdoor security person during each event that includes the serving of alcoholic beverages, to which 75 or more persons are invited to attend, and which is scheduled to occur any day for any period of time between 10 PM and 2 AM. The person must possess a "Security Officer Registration Certificate" pursuant to Chapter 18 of Title 40 of the SC Code of Laws, or as an alternative, may be an off-duty sworn law enforcement officer. No other employee may serve in the capacity of a security person unless so certified.
- 10) The Applicant and all of its managers and employees responsible for serving any alcoholic beverage (current and future) shall participate in the "Merchant Education / Server Training" Program offered by the Phoenix Center or comparable program offered by other vendor(s) approved by the Greenville Police Department. Evidence of satisfactory completion of this training for each employee shall be retained on-site and available for inspection by the Administrator and the Greenville Police Department. Current personnel shall receive training within ninety (90) days of the date of the granting of a Conditional Use Permit and future personnel shall receive training within thirty (30) days of hiring.
- 11) Loitering, solicitation, and disorderly conduct is prohibited at all times; rules consistent with the provisions of the Greenville Code of Ordinances shall be posted in conspicuous locations and shall be enforced by proprietors.
- 12) Operation and maintenance of the facility, regardless of the hours permitted to be open to the public, shall comply with the Noise Ordinance, Sec. 16-91 of the City Code.
- 13) A copy of the Conditional Use Permit shall be maintained with other posted occupancy information on the premises and made available for code enforcement inspections.

By application filed 3/15/2016 the Applicant, BW Greenville LLC dba "Brazwells" requested a Conditional Use pursuant to Section 19-2.3.6, *Conditional Use Permit*; Section 19-4.1, *Table of Uses*; and Section 19-4.3.3, *Use Specific Standards*, of the Greenville City Code to operate an event venue after midnight in the C-4, Central Business District. Notice was mailed to property owners within 300 feet of the subject property on March 17, 2016. The Applicant met with the Technical Advisory Committee on March 21, 2016.

Findings:

- The Technical Advisory Committee made sufficient findings to recommend approval of the permit, subject to the conditions enumerated above and the Report of the Technical Advisory Committee.
- The use complies with the goals, policies, and standards of the ordinance and, in particular, with the standards of Section 19-4.3, *Use Specific Standards*.
- The infrastructure capacity is adequate to serve the conditional use.
- The use complies with the standards for granting a special exception:

The use is consistent with the comprehensive plan. The Future Land Use Map of the City's comprehensive plan designates the area as "Mixed-Use City Center." The use is reactivating an existing storefront in the West End Historic District (National Register) and a local preservation overlay, which encourages development to contribute to the quality of life and support friendly, walkable streets.

The use is compatible with the character of surrounding lands, which is comprised of unique retail shops, restaurants, services, and residential units in small-scale buildings along Main Street. Several new and recent developments have increased the residential population in the area, increasing the need for services. However, a late night business can also present conflicts with residential uses; therefore, conditions of the permit are intended to generate compatibility between uses.

Adverse impacts associated with the design of the use, which may include noise, odors, or late-night loitering in surrounding neighborhoods are intended to be addressed by the conditions enumerated above.

Appeal:

Any person believing that the administrator erred in its decision has the right to appeal the decision to the City of Greenville Board of Zoning Appeals. The appeal form and fee must be submitted to the Planning and Development office within 10 business days after the decision is made, and must state the reasons he or she believes the decision is illegal, either in whole or in part.

Conditional Use Permit:

The Conditional Use Permit issued to the Applicant is required to be maintained with other posted occupancy information on the premises, available to city inspectors.

General Information:

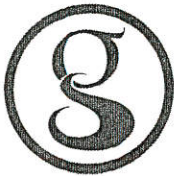
The appropriate responsible party must obtain any necessary permits, certificates and/or licenses from the City of Greenville Permits and Licenses Office before beginning work, occupying premises, or starting a business.

Failure to comply with any conditions prescribed in conformity with the City of Greenville Code of Ordinances (Land Management), when made part of the terms under which this Conditional Use is granted, shall be deemed a violation of the City Code, punishable under penalties established by City Code.


Michael Kerski
Planning and Development Manager

5/19/16
Date

Application # <u>CU 16 175</u>	Fees Paid _____
Date Received: <u>3-15-2016</u>	Accepted by _____
Date deemed complete _____	App Deny Conditions _____



APPLICATION FOR CONDITIONAL USE CITY OF GREENVILLE, SOUTH CAROLINA

APPLICANT / PERMITTEE*: BW Greenville LLC DBA Brazwells
 *Operator of the proposed use; Name Title / Organization
 permit may be limited to this entity. _____

APPLICANT'S REPRESENTATIVE: Brian Shelton Regional Manager
 (Optional) Name Title / Organization

MAILING ADDRESS: 631 South main st Greenville, SC

PHONE: 864-906-7771 **EMAIL:** Brian@thebottlecapgroup.com

PROPERTY OWNER: Tony Harper

MAILING ADDRESS: 31 Cleveland St Greenville, SC

PHONE: 864-242-3811 **EMAIL:** Accounting@Latone.net

PROPERTY INFORMATION

STREET ADDRESS: 631 S. main st Greenville, SC - Suite 300

TAX PARCEL #: 0089000101101 **ACREAGE:** _____ **ZONING DESIGNATION:** C-4

REQUEST

Refer to Article 19-4, Use Regulations, of the Land Management Ordinance (www.municode.com/library/)

DESCRIPTION OF PROPOSED LAND USE: Event Venue. Possible events
past 12am. or until 2:00 am

INSTRUCTIONS

1. The application and fee, made payable to the City of Greenville, must be submitted to the planning and development office during normal business hours.
2. The applicant/owner must respond to the "standards" questions on page 2 of this application (you must answer "why" you believe the application meets the tests for the granting of a conditional use). See also **Section 19-2.3.6, Conditional Use Permit**, for additional information. You may attach a separate sheet addressing these questions.
3. For conditional use requests for nightclubs/bars, event venues, or businesses operating after midnight, the applicant must also submit the **Zoning Compliance Application for Establishments Serving Beer, Wine, or Liquor**.

4. You must attach a scaled drawing of the property that reflects, at a minimum, the following: (a) property lines, existing buildings, and other relevant site improvements; (b) the nature (and dimensions) of the proposed development (activity); (c) existing buildings and other relevant site improvements on adjacent properties; and, (d) topographic, natural features, etc. relevant to the requested special exception.

5. You must attach the required application fee: \$250.00

6. The administrator will review the application for "sufficiency" pursuant to **Section 19-2.2.6, Determination of Sufficiency**, prior to routing the application for staff review. If the application is determined to be "insufficient", the administrator will contact the applicant to request that the applicant resolve the deficiencies. **You are encouraged to schedule an application conference with a planner, who will review your application for "sufficiency" at the time it is submitted. Call (864) 467-4476 to schedule an appointment.**

7. **Please read carefully:** The applicant and property owner affirm that all information submitted with this application; including any/all supplemental information is true and correct to the best of their knowledge and they have provided full disclosure of the relevant facts.

In addition the applicant affirms that the applicant or someone acting on the applicant's behalf has made a reasonable effort to determine whether a deed or other document places one or more restrictions on the property that preclude or impede the intended use and has found no record of such a restriction.

If the planning office by separate inquiry determines that such a restriction exists, it shall notify the applicant and advise them to withdraw or modify the application in a timely manner, or act to have the restriction terminated or waived.

To that end, the applicant hereby affirms that the tract or parcel of land subject of the attached application is _____ or is not ☒ restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the requested activity.

_____ *RAMP*

APPLICANT SIGNATURE

3-11-14

DATE

_____ *Greg Harper*

PROPERTY OWNER SIGNATURE

3-11-16

DATE

**Applicant Response To
Section 19-2.3.6(D), Standards – Conditional Use Permit**

(You may attach a separate sheet)

1. Describe the ways in which the proposal complies with the goals, policies, and standards of the ordinance and, in particular, with the standards of **Section 19-4.3, Use Specific Standards**.

2. Describe the ways in which the infrastructure (roads, potable water, sewerage, schools, parks, police, fire, and emergency facilities) capacity is adequate to serve the proposed conditional use.

Brazwells

2nd Floor (Event Space)

The Second Floor space would like to be used as an event space for weddings, Bridal Showers, Rehearsal dinners, birthday, business meetings, parties etc.

This space will only be used for these type events where a contract between us and the appropriate parties has been executed.

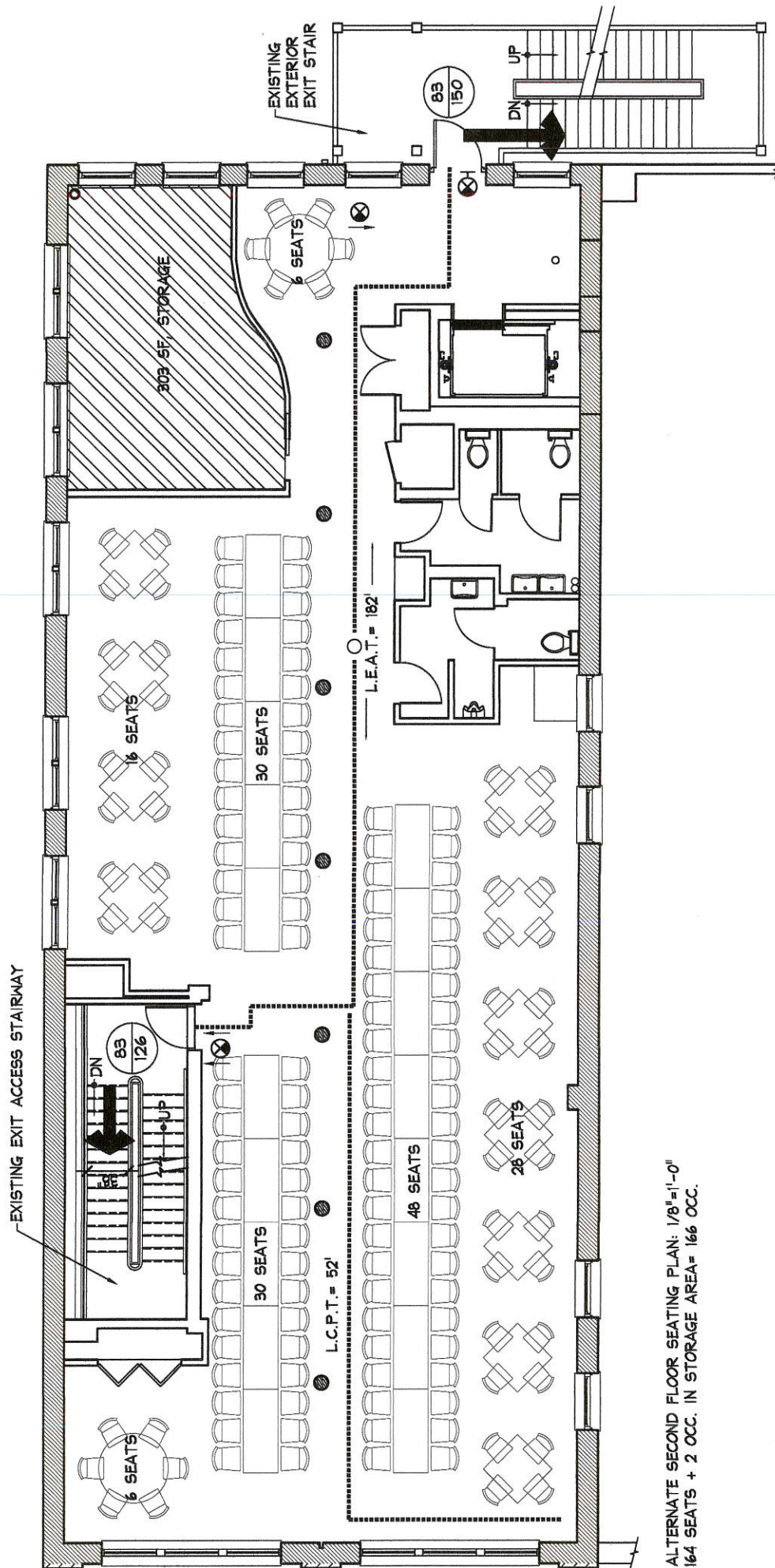
We would like to request the use of live music only when appropriate to the event. Weddings mainly as the source for live music.

Food will be provided by Brazwells 1st Floor Kitchen.

Security will only be provided if needed.



SECOND FLOOR SEATING PLAN: 1/8"=1'-0"
102 SEATS, 133 STANDING,
2 OCC. IN STORAGE AREA= 237 OCC.



ALTERNATE SECOND FLOOR SEATING PLAN: 1/8"=1'-0"
 164 SEATS + 2 OCC. IN STORAGE AREA= 166 OCC.

